

CLASSIFICATION OFFICE DECISION

Title of publication: i1b0223j0p_14

Other known title(s): Not stated

OFLC ref: 1900573.018

Medium: Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 28 July 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 27 July 2020

Summary of reasons for decision:

The image file is a highly sexualised image of a naked young boy. The only reasonable reading of the image is that it has been produced to titillate and sexually arouse those with a prurient interest in children. Material such as this normalizes and legitimizes young boys as appropriate subjects for adult fantasy and desire. It therefore promotes and supports the exploitation of children for sexual purposes and is deemed to be objectionable under s 3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The objectionable classification of this publication interferes with the right to freedom of expression under the New Zealand Bill of Rights Act 1990, but this is an outcome that is consistent with Parliament's intention that publications falling under s 3(2) of the FVPC Act are deemed to be objectionable. This reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.